

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-CR-00337-RJC-DSC

USA

v.

LEAMON KEISHAN MOSELEY

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ORDER

THIS MATTER is before the Court upon the government's Motion to Revoke, (Doc. No. 251), the Southern District of California magistrate judge's release order, (Doc. No. 268: Attachment 2), and the defendant's Response, (Doc. No. 256). For the reasons stated below, the Court will **STAY** the release Order pending review.


Title 18, United States Code, Section § 3145 provides that when a defendant is ordered released by an out-of-district judge, the court having original jurisdiction over the offense may review the release order. Here, the defendant was indicted on June 19, 2013, in this district for an alleged drug trafficking conspiracy involving at least 1,000 kg of marijuana and a money laundering conspiracy. (Doc. No. 224: Second Superseding Indictment). After an initial appearance in the Southern District of California, the defendant was ordered released by a magistrate judge. The government has now moved for revocation of the release order by this Court. In the circumstances of this case, the Court finds that an evidentiary hearing is required.

IT IS, THEREFORE, ORDERED that the magistrate judge's release order is **STAYED** and the defendant is committed to the custody of the Attorney General pending determination of the government's motion. The date of the detention hearing will be announced by separate order.

IT IS FURTHER ORDERED that, to the extent practicable, the defendant shall be confined in a corrections facility separate from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States marshal for the purpose of an appearance with a court proceeding.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation office.

Signed: August 21, 2013

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

